

REMARKS/ARGUMENTS

The Office Action of July 26, 2006 has been reviewed and the comments therein were carefully considered. Claims 19-50 are currently pending. Claims 19-50 stand rejected. Through this Amendment and Response, claims 19, 21, 24-29, 31 and 33 have been amended to more clearly recite the subject matter of the presented claims. No new matter has been added. As explained in more detail below, the Applicants submit that all claims are in condition for allowance.

Claims 19-50 are Rejected Under 35 USC §103(a)

Claims 19-50 are rejected under 35 USC §103(a) as being unpatentable over Beck, et al. (US 6,604,140) in view of Haartsen, et al. (Proceedings of IEEE, Volume 88, Issue 10, October 2000, Pages 1651-1661) and in further view of Lunsford, et al. (US 6,901,434).

The Office Action maintains the assertion that Beck discloses a wireless communication system wherein individual wireless terminals of a group perform at least one function in addition to performing wireless communication with each other which is common to the individual terminals of the group and performing at least one function which is not common to individual wireless terminals of the group. (Office Action dated 07/26/06; page 5). As discussed in the previous responses, the Applicants respectfully disagree with this assertion as the claim limitations are not met and the “services” of Beck are not equivalent to the “functions” as recited in the rejected claims. Nonetheless, as illustrated by way of exemplary claim 1 below, the Applicants have amended the claims to indicate the wireless terminals are “configured to perform at least one function specific to a first application in addition to performing wireless communication with each other” and further “configured to perform at least one additional function specific to the first application which is not common to individual wireless terminals of the group”. As elaborated in the Substitute Specification of the present application, a “basic concept of the invention is to use the terminal and the applications that are contained therein together to acquire greater functionality than is possible by one terminal singly.” (Page 4; paragraph [0017]).

Along these lines, there is no teaching within Beck of at least:

while in the group sharing the at least one function specific to the first application which is not common to each of the wireless terminals so that a total number of functions specific to the first application available to be performed by the individual wireless terminals of the group, in addition to performing the wireless communication with each other, is greater than a total number of functions specific to the first application available to be performed by the individual wireless terminals when the individual wireless terminals are not in the group

(Claim 1; amendments emphasized) The mobile devices of Beck cited by the Office Action are either service advertisers, service users, or a device that is both a service advertiser and a service user. (See Beck; Col. 8, lines 49 – 53). A service announcer “announces the availability of services to other devices”, and a service user “hosts one or more clients that use one or more services on the device”. (Col. 3, lines 61 – 63 and 64 – 66). Obviously, a device that is both a service advertiser and a service user has both capabilities. First looking to service advertisers, the total number of functions available to be performed does not increase on the device when part of a group. In fact, there is no mention of sharing a function specific to a first application. For example, “Device 2-101 depicts a service advertiser...[which] includes an advertiser 106, that performs the advertising function”. (Col. 3, lines 62 – 66 and Col. 4, lines 37 – 8). As shown in Figure 2, the advertiser retrieves a service the device wishes to advertise (step 201), and after creating a service descriptor for that service (step 202), the advertiser multicasts the service descriptor (step 203). Regardless of whether the advertiser is alone or in a group it performs the same function. There is no indication that the advertiser can perform additional functions specific to a first application when in a group. Therefore, whether alone or in a group it has the same job – to advertise.

Looking next at the service users, the total number of functions specific to a first application available to be performed on the device does not increase when part of a group. For example, Device 2-121 represents a service user which hosts one or more clients that use services on the device. The server user listens for multi-casted service descriptors through a listener (see. listener 127). (Col. 5, lines 1 – 2).). As shown in Figure 3, the advertiser listens and retrieves a service descriptor (step 301). Regardless of whether the service user is alone or in a group it performs the same job – it listens for service descriptors. Indeed, as recognized by the previous Office Action, the service user will only have access to other services. (Office

Action dated 01/30/06; page 5). Their functionality will not be altered. Merely having access to other services in which you may execute those functions is not equivalent. Even upon acquiring a service, there is no indication in Beck that once a service user accesses a service from the advertisers, they could only get the extra “functionality” of that service when in a group as compared to when not in a group. In fact, Beck states:

“[t]he discovered service is now available to all clients running on the device for the time interval specified by the period of validity, or until the service is removed by a removal command. By allowing both a removal command and a period of validity, services can be removed from the device via a combination of explicit (e.g. Removal command) and implicit (e.g. Expiration of period of validity) mechanisms.

(Col. 5, lines 18 – 25; *see also* Col. 6, line 66 – 67 to Col. 7, line 1). Nowhere does Beck state the service is only available when in a group, never mind any reference to a function specific to a first application. For example, the Office Action states that expanded “functionality” can be met by the accessibility of printing services through a discovery service (see page 2 of the Office Actions dated 07/26/06 and 01/30/06).

The Applicants respectfully disagree on several bases. First, the discovery service is used as just that – a service for discovering broadcasted services, such as a printing service, which is not specific to a first application. (See Col. 5, ll. 3-30) Second, there is no indication that the printing service is only available when:

the wireless terminals while in the group sharing the at least one function specific to the first application which is not common to each of the wireless terminals so that a total number of functions specific to the first application available to be performed by the individual wireless terminals of the group, in addition to performing the wireless communication with each other, is greater than a total number of functions specific to the first application available to be performed by the individual wireless terminals when the individual wireless terminals are not in the group.

In contrast, the column cited by the Office Action sets forth that: “[t]he discovered service is now available to all clients running on the device for the time interval specified by the period of validity”. (Col. 5, ll. 18-21) There is no teaching or suggestion of the recited subject matter of the rejected claims, but rather the service is not specific to a first application is available to multiple users on a single device.

Third, there is no indication that every device in the group has not also accessed the service, therefore, making it a common service (even assuming the functions recited in the rejected claims are equivalent to the services of Beck – which the Applicants disagree with as explained in more detail below). In fact, the Examiner even acknowledges that “[e]ach device will not have accessed each service thus the need for discovering other services”. (Office Action dated 07/26/06; page 3) In contrast, the wireless devices of the rejected claims are configured to perform at least one function specific to a first application “which is common to the individual terminals of the group” and “while in the group sharing the at least one function specific to the first application which is not common to each of the wireless terminals so that a total number of functions available to be performed by the individual wireless terminals of the group, in addition to performing the wireless communication with each other, is greater than a total number of functions specific to the first application available to be performed by the individual wireless terminals when the individual wireless terminals are not in the group”.

The Applicants further maintain that the services depicted in Beck are not equivalent to the functions as recited in the rejected claims as discussed above but rather set forth the argument to show that even with the extra “functionality” suggested by the Examiner, the claim limitations are still not met. For example, looking to Claim 25 further illustrates this point. Claim 25 further limits claim 19 by reciting “wherein at least one additional function becomes available to the group only when a minimum number of the plurality of wireless terminals join the group.” Again the Office Action asserts this limitation is met when the service users have access to other needed services by communicating with the service advertisers that have the services as “said services will therefore have access to a greater number of services thus expanding their functionality, the number of mobile devices can be any number, thus there can be a minimum number of said mobile devices.” (Office Action dated 01/30/06; page 12; See Office Action dated 07/26/05, page 13). First, merely having services accessible to devices on a network is not equivalent to only having additional functions of a first application available when a minimum threshold of terminals join the group as recited in the amended claims. Indeed, the Office Action does not point to any teaching or suggestion in Beck regarding such a threshold that must be met

to gain the added functionality. In contrast, in referencing Beck, the Office Action states “the number of mobile devices can be any number.” (Office Action dated 01/30/06; page 12).

Moreover, specifically regarding Lunsford, the Office Action asserts the reference discloses “users of a plurality of wireless terminals deciding to form a group” as recited in the rejected claims. The Applicants 1) respectfully disagree that the alleged “groups” of Lunsford are equivalent to the “groups” as recited in the rejected claims, and 2) Lunsford teaches away from the subject matter of the rejected claims.

First, Lunsford discloses an invention for data synchronization between two handheld computers. (Lunsford; Field of the Invention; Col. 1, lines 9 – 10). As one skilled in the art will readily appreciate, the goal of synchronizing is to create an **identical** copy, therefore upon forming a “group” according to Lunsford, there can be no “sharing the at least one function which is not common to each of the wireless terminals so that a total number of functions available to be performed by the individual wireless terminals of the group, in addition to performing the wireless communication with each other, is greater than a total number of functions available to be performed by the individual wireless terminals when the individual wireless terminals are not in the group” as specified by the defined groups of the rejected claims.

Along these lines, Lunsford teaches away from the subject matter of the rejected claims. Indeed, applying Lunsford to Beck and Haartsen would synchronize data among service advertisers or service users utilizing Bluetooth technology and would not teach, disclose, or suggest the subject matter of the rejected claims, including, for example “individual wireless terminals of a group [that] perform at least one function in addition to performing wireless communication with each other which is common to the individual terminals of the group and performing at least one function which is not common to individual wireless terminals of the group.”

Therefore, for at least the reasons provided above, the Applicants submit that the art of record does not teach, disclose, or suggest the subject matter of the rejected claims and respectfully request reconsideration and withdrawal of the rejected claims.

CONCLUSION

Applicants therefore respectfully request reconsideration of the pending claims and a finding of their allowability. A notice to this effect is respectfully requested. Please feel free to contact the undersigned should any questions arise with respect to this case that may be addressed by telephone.

Respectfully submitted,

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